

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

**Re:   CONDITIONAL USE PERMIT NUMBER 01-105-(2)  
      SECOND SUPERVISORIAL DISTRICT / THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a hearing regarding the above-referenced permit which would authorize the continued operation of an existing car wash in the View Park Zoned District. At the conclusion of the hearing, you indicated an intent to deny the permit and instructed us to prepare the appropriate findings for denial. Enclosed are proposed findings for your consideration.

Very truly yours,

LLOYD W. PELLMAN  
County Counsel

By  
JUDITH A. FRIES  
Principal Deputy County Counsel  
Public Works Division

APPROVED AND RELEASED:

LLOYD W. PELLMAN  
County Counsel

JAF:md

Enclosure

**FINDINGS OF THE BOARD OF SUPERVISORS  
AND ORDER  
CONDITIONAL USE PERMIT NO. 01-105-(2)**

1. The applicant is requesting a conditional use permit to authorize the continued use of an existing hand car wash located at 4601 W. Slauson Avenue, Ladera Heights, in the View Park Zoned District.
2. The subject property is zoned C-2 (Neighborhood Business). Pursuant to Section 22.28.160 of the Los Angeles County Code, a conditional use permit is required to operate a hand car wash in the C-2 Zone.
3. The surrounding properties are zoned as follows:  
  
North: R-1 (Single Family Residence)  
South: C-2, R-1  
East: C-2  
West: C-2
4. The 1.38-acre subject property is rectangular, with sloping topography, and is currently used as a hand car wash.
5. Surrounding lands contain the following uses:  
  
North: Single Family Residences  
South: Commercial Uses, Hotel, Private School, Single Family Residences  
East: Private School, Commercial Uses, Vacant Land  
West: Parking Lot, Office Building, Vacant Land, Commercial Uses, Multi-Family Residences
6. The existing car wash was illegally established on the property after the owner was informed that a conditional use permit would be required for such use. A conditional use permit was approved in 1992 to allow the car wash to continue as a transitional use pending future redevelopment of the site. The grant was given a five-year term due to the temporary nature of the approval. The grant expired in 1997, and the use has continued in operation since that time without a valid conditional use permit. Zoning enforcement action was initiated upon discovery of the illegal operation of the car wash on the property and other zoning violations.
7. The following zoning cases have been filed on the subject property:  
  
CUP 2466: A Conditional Use Permit to authorize establishment of a 24-unit apartment building was denied in 1984. File photographs show the property as vacant.  
  
PP33822: A Plot Plan Review to authorize installation of a 35-foot freestanding sign on the subject property was approved in 1985. The plot plan was approved for signage only and it is

not clear from the records whether the car wash had been established at that time.

- PP33893: An application for Plot Plan Review to authorize establishment of a hand car wash on the subject property was withdrawn in 1985 after the applicant was advised that a conditional use permit would be required for the proposed use.
- CUP 89-446: A Conditional Use Permit to authorize establishment of a hand car wash was withdrawn by the applicant in 1990. There was no indication on the application that the use was existing at that time.
- CUP 91-335: A Conditional Use Permit to authorize the continued use of an existing illegally established hand car wash was approved in July 1992 by the Regional Planning Commission as a transitional use pending future redevelopment of the subject property; CUP 91-335 expired in June 1997.
- PP47469: A Plot Plan Review to authorize establishment of a 42-foot high, 672-square foot billboard on the subject property was approved in 2001.

8. The car wash operation has been cited on multiple occasions by the Department of Public Works regarding improper drainage, unauthorized construction, and other code violations on the site. The violations involving drainage have since been corrected.
9. The subject property is depicted within the Major Commercial land use classification on the land use policy map of the Countywide General Plan. This classification allows regional commercial centers and central business districts, as well as a range of mixed commercial and service activities. A hand car wash is consistent with this General Plan designation.
10. The site plan depicts the existing covered hand car wash area located toward the eastern side of the property, with waiting areas to the south and west of the car wash, and storage buildings to the east and north. To the west are another waiting area, a building housing the cashier, and a covered detail area. The previous site plan also depicted a parking area and office building, however, it was determined that the parcels on which those uses are located are not under the same ownership as the parcel containing the car wash. Access to the property is provided via Heatherdale Drive to the east (entrance only) and Slauson Avenue to the south. The northern area of the property is shown as hillside landscaping.

11. The car wash complies with the development standards of the C-2 Zone, set forth in Section 22.28.170 of the Los Angeles County Code, relating to lot coverage, landscaping, parking, building height, and outside storage and display, except that parking accessible to disabled persons has not been provided as required.
12. The project is categorically exempt from the provisions of the California Environmental Quality Act ("CEQA"). As the car wash is an existing use, the project is within a class of projects which have been determined not to have a significant effect on the environment in that it meets the criteria set forth in section 15301 of the State CEQA Guidelines and Class 1 of the County Environmental Document Reporting Procedures and Guidelines, Appendix G.
13. Thirteen comments and a petition signed by 155 car wash patrons were submitted to the Regional Planning Commission in support of the project. Comments expressed in support of the project included that the car wash is well-managed, it provides jobs and is an asset to the community, and there are no plans for any alternative use of the property.
14. Twenty-six comments were submitted to the Regional Planning Commission in opposition to the project, including one from the president of the United Homeowners Association representing 5,500 local households and 1,200 members. The concerns raised by the comments submitted in opposition to the project include the following:
  - a. Excessive noise is emitted by vacuum cleaners/blowers and loud music;
  - b. The property is unsightly;
  - c. Water is not being contained on-site;
  - d. Alleged criminal activity;
  - e. The car wash operator and employees are not willing to work to integrate the use into the community;
  - f. Car wash clients exceed the speed limit on Heatherdale Drive, which is a cul-de-sac;
  - g. Access to the car wash on Heatherdale Drive should be closed;
  - h. Trash from the car wash is dispersed by the wind onto neighboring properties; and
  - i. The business signage is unsightly.

15. The County Sheriff=s Department has reported that there have not been any calls related to criminal activity on the subject property over the past two years. The Los Angeles Police Department was not consulted.
16. The County Department of Health Services conducted an acoustical analysis of the existing car wash and concluded that it cannot be conclusively determined whether the car wash contributes excessive noise levels at distant receptor sites.
17. A public hearing was held before the Regional Planning Commission on October 9, 2003, December 11, 2002, and March 5, 2003. The Commission heard testimony in support of and in opposition to the project. After considering the evidence presented, the Regional Planning Commission denied the requested conditional use permit.
18. The applicant filed a timely appeal of the denial of the permit by the Regional Planning Commission. A public hearing on the appeal was held before the Board of Supervisors on August 26, 2003, and September 23, 2003. Testimony and written evidence were received in support of and in opposition to the continued use of the car wash.
19. A representative of the Department of Public Works testified at the hearing before the Board that if all of the hand wash bays are in use, there would only be sufficient space for two queued cars on the property, and there would be the potential for vehicles to back out into the public roadway and block traffic on Heatherdale Drive.
20. A tenant of the building adjacent to the subject property testified at the hearing before the Board that the operation of the car wash sometimes blocks the driveway that provides the only means of access to the parking lot for the building. Other members of the surrounding community testified that the operation of the car wash creates loud noises, trash, debris, and long lines entering the car wash, that it is a nuisance to the community, and that the operator has been unwilling to address any of the community's concerns.
21. The applicant's representative testified at the hearing before the Board that the applicant purchased the property in January 2001, without conducting due diligence, but relying on the seller's representation that the business had the necessary permits to operate. The applicant's representative stated his belief that the Regional Planning Commission denied the requested conditional use permit because of violations of the prior owner; however, the record shows that violations have occurred on the subject property subsequent to its purchase by the applicant.
22. The County Fire Department submitted a report to the Regional Planning Commission detailing Fire Code violations on the subject property. The applicant's representative questioned the accuracy of the Fire Department's

report, however, and the Fire Department has failed to provide evidence satisfactory to the Board to support its findings of Fire Code violations on the subject property. Evidence submitted by the applicant's representative raises the possibility that the Fire Department inspected the adjacent property instead of the subject property, and that its inspection report refers to violations on the adjacent property. Therefore, the Board shall not consider any testimony or other evidence submitted concerning possible Fire Code violations, and its action on the subject appeal is not based on any such evidence.

23. The Board finds that the continued operation of the subject car wash is incompatible with the surrounding community, will adversely affect the peace and comfort of the residents in the surrounding area, and will jeopardize the public health, safety, and general welfare. There is insufficient space to handle queued cars on the property, with the potential for vehicles to back out onto Heatherdale Drive and block traffic on the public roadway. The applicant has not indicated a willingness or ability to address neighbors' complaints that trash, loud music and other excessive noise, and traffic problems have disturbed their peaceful enjoyment of their own properties.

**BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS  
CONCLUDES:**

- A. That the applicant has failed to substantiate to the satisfaction of the Board that the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare; and
- B. That the applicant has failed to substantiate to the satisfaction of the Board that the proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code for the use as proposed, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and

- C. That the applicant has failed to substantiate to the satisfaction of the Board that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required;

**THEREFORE, THE BOARD OF SUPERVISORS**, based on the findings set forth above, denies Conditional Use Permit Case No. 01-105-(2).